CHARGE SHEET

PLACE: NAS Atsugi, Japan			DATE: 24 June 1958
ACCUSED (Last name, First name, Middle initial) (List aliases when material.): OSWALD Lee H.		SERVICE NUMBER: 1653230	GRADE: Pvt
ORGANIZATION AND ARMED FORCE (If the accused is not a member of any armed force, state other appropriate description showing that he is subject to military law.): MACS-1 MAG-11 1stMAW FMF, c/o FPO, San Francisco, California	DATE OF BIRTH: 18 October 1939		PAY PER MONTH
	CONTRIBUTION TO FAMILY OR QUARTERS ALLOWANCE (MCM, 124h (2)): None		BASIC $ 83.20
			SEA OR FOREIGN DUTY $ 8.00
			TOTAL $ 91.20

RECORD OF SERVICE

INITIAL DATE OF CURRENT SERVICE	TERM OF CURRENT SERVICE
24 October 1956	23 October 1959

PRIOR SERVICE (As to each prior period of service, give inclusive dates of service and organization in which serving at termination, if available.)

None

DATA AS TO WITNESSES

NAME OF WITNESS	ADDRESS	WITNESSES FOR PROSECUTION	WITNESSES FOR ACCUSED
MILAM, James N. SSgt	VMJ-1 MAG-11 1stMAW FMF, c/o FPO, San Francisco, California	X	
RODRIGUEZ, Miguel Jr. TSgt	MACS-1 MAG-11 1stMAW FMF, c/o FPO, San Francisco, California	X	
GLENN, Norman D. LtCol	MACS-1 MAG-11 1stMAW FMF, c/o FPO, San Francisco, California		X
RHODES, Charles R. 1stLt.	MACS-1 MAG-11 1stMAW FMF, c/o FPO, San Francisco, California		X

DOCUMENTS AND OBJECTS

LIST AND DESCRIBE. IF NOT ATTACHED TO CHARGES, NOTE WHERE IT MAY BE FOUND.

None

DATA AS TO RESTRAINT

NATURE OF ANY RESTRAINT OF ACCUSED	DATE	LOCATION
Restraint	21 June 1958	NAS Atsugi, Japan

DD FORM 1 DEC 55 458

1

REPLACES DD FORM 458, 1 MAR 51, WHICH IS OBSOLETE.

Rec'd in ONI 1963

Charge I : Violation of the Uniform Code of Military Justice, Article 117

Specification: In that Lee H. OSWALD, Private, U. S. Marine Corps, Marine Air Control Squadron 1, did, at the Bluebird Cafe, Yamato, Japan, on or about 20 June 1958, wrongfully use provoking words, to wit: "You're yellow because you won't go outside and fight me", or words to that effect, towards Technical Sergeant Miguel RODRIGUEZ Jr., U. S. Marine Corps.

Charge II : Violation of the Uniform Code of Military Justice, Article 128

Specification: In that Lee H. OSWALD, Private, U. S. Marine Corps, Marine Air Control Squadron 1, did, at the Bluebird Cafe, Yamato, Japan, on or about 20 June 1958, assault Technical Sergeant Miguel RODRIGUEZ Jr., a Noncommissioned Officer of the United States Marine Corps, by pouring a drink on him, and saying, "Let's go outside," or words to that effect.

If this space is insufficient for all charges and specifications, they will be set forth numerically, front to back, on separate sheets attached to this page.

SIGNATURE OF ACCUSER	TYPED NAME AND GRADE	ORGANIZATION
George Kidd GEORGE KIDD	MSgt	MACS-1 MAG-11 1stMAW FMF, c/o FPO, San Francisco, Cali

AFFIDAVIT

Before me, the undersigned, authorized by law to administer oaths in cases of this character, personally appeared the above-named accuser this 26th day of June, 19 58, and signed the foregoing charges and specifications under oath that he is a person subject to the Uniform Code of Military Justice, and that he either has personal knowledge of or has investigated the matters set forth therein, and that the same are true in fact, to the best of his knowledge and belief.

C. P. Williams
C. P. WILLIAMS — SIGNATURE

1stLt., MACS-1 MAG-11 1stMAW FMF — GRADE AND ORGANIZATION OF OFFICER

Adjutant — OFFICIAL CHARACTER, AS ADJUTANT, SUMMARY COURT, ETC. (MCM, 29e, and Article 30a and 136)

Officer administering oath must be a commissioned officer.

26 June 1958 — DATE

I have this date informed the accused of the charges against him (MCM, 32f(1)).

C. P. Williams
C. P. WILLIAMS, ~~XXXXXXXXX~~ — SIGNATURE

1stLt., USMC, Adjutant, MACS-1 MAG-11 — GRADE AND ORGANIZATION OF IMMEDIATE COMMANDER

MACS-1 MAG-11 1stMAW FMF, c/o FPO, San Francisco, California — DESIGNATION OF COMMAND OF OFFICER EXERCISING SUMMARY COURT-MARTIAL JURISDICTION

NAS, Atsugi, Japan — PLACE

26 June 195 — DATE

The sworn charges above were received at 1600 hours, this date (MCM, 33b).

~~XXXXXXX~~
N. D. Glenn
N. D. GLENN, LtCol., USMC, Commanding Officer — SIGNATURE, GRADE, AND OFFICIAL CAPACITY OF OFFICER SIGNING

1ST INDORSEMENT

MACS-1 MAG-11 1stMAW FMF, c/o FPO, San Francisco, California — DESIGNATION OF COMMAND OF CONVENING AUTHORITY

NAS Atsugi, Japan — PLACE

26 June 195 — DATE

Referred for trial to the SUMMARY court-martial appointed by

My appointing order

, 2 May 19 58, subject to the following instructions: [2] None

~~XXX~~ COMMAND OR ORDER of

N. D. Glenn
N. D. GLENN, LtCol, USMC, Commanding Officer — SIGNATURE, GRADE, AND OFFICIAL CAPACITY OF OFFICER SIGNING

I have served a copy hereof on each of the above-named accused, this 27th day of June, 19 58.

Willard D. Garrett
SIGNATURE — Capt., USMC, MACS-1 MAG-11 — GRADE AND ORGANIZATION OF TRIAL COUNSEL

[1] When an appropriate commander signs personally, inapplicable words are stricken out. [2] Relative to proper instructions which may be included in the indorsement of reference for trial, see MCM, 33j(1). If none, so state.

Fill in blank numbers of pertinent charges and specifications or "all specifications and charges", as may be appropriate. For use unless departmental regulations prevent such election (MCM, 32f(2)).

THE ACCUSED HAS BEEN PERMITTED AND HAS ELECTED TO REFUSE PUNISHMENT UNDER ARTICLE 15 AS TO

GRADE AND ORGANIZATION OF OFFICER EXERCISING JURISDICTION UNDER ARTICLE 15	SIGNATURE

RECORD OF TRIAL BY SUMMARY COURT-MARTIAL	CASE NUMBER (Inserted by convening authority)

TO BE FILLED IN BY THE ACCUSED

I ☒ CONSENT ☐ OBJECT TO TRIAL BY SUMMARY COURT-MARTIAL	SIGNATURE OF ACCUSED Lee H. Conrad

TO BE FILLED IN BY SUMMARY COURT IF APPLICABLE

When an accused has been permitted and has elected to refuse punishment under Article 15, trial by summary court-martial may proceed despite his objection.

1. THE ACCUSED, HAVING REFUSED TO CONSENT IN WRITING TO TRIAL BY SUMMARY COURT-MARTIAL AND NOT HAVING BEEN PERMITTED TO REFUSE PUNISHMENT UNDER ARTICLE 15, THE CHARGES ARE HEREWITH RETURNED TO THE CONVENING AUTHORITY.

GRADE AND ORGANIZATION OF SUMMARY COURT OFFICER	SIGNATURE
~~Capt., MACS-1 MAG-11 1stMAW FMF.~~	

2. WAS THE ACCUSED ADVISED IN ACCORDANCE WITH PARAGRAPH 79d, MCM, 1951? ☒ YES

SPECIFICATIONS AND CHARGES	PLEAS	FINDINGS	SENTENCE OR REMARKS
Sp: Ch. I	NG	G	To be confined at hard labor for Twenty-eight days and to forfeit $55.00 per month for One (1) month
Ch. I	NG	G	
Sp: Ch. II	NG	NG	
Ch. II	NG	NG	
			NUMBER OF PREVIOUS CONVICTIONS CONSIDERED (MCM, 75b(2)) One (1)

PLACE	DATE
MACS-1 MAG-11 1stMAW FMF, c/o FPO, San Francisco, California	27 June 1958

GRADE, ORGANIZATION AND ARMED FORCE OF SUMMARY COURT OFFICER (MCM 84)	SIGNATURE
Capt., MACS-1 MAG-11 1stMAW FMF, USMC	Willard D. Garrett

Enter after signature, "Only officer present with command", if such is the case.

TO BE FILLED IN BY CONVENING AUTHORITY (MCM, 89, and app. 14a.)

ORGANIZATION	PLACE	DATE
MACS-1 MAG-11 1stMAW FMF, c/o FPO, SFran, Calif	NAS Atsugi, Japan	27 June 1958

ACTION OF CONVENING AUTHORITY

Approved and ordered executed. NAS Atsugi Brig is designated as the place of confinement. The forfeitures shall apply to pay and allowances becoming due on and after date of this action.

GRADE AND ORGANIZATION OF CONVENING AUTHORITY	SIGNATURE
LtCol., MACS-1 MAG-11 1stMAW FMF	N. D. Glenn

ENTERED ON APPROPRIATE PERSONNEL RECORDS IN CASE OF CONVICTION. (MCM, 91c)

GRADE AND DESIGNATION OF OFFICER RESPONSIBLE FOR THE ACCUSED'S RECORDS	SIGNATURE
1stLt., Adjutant	C. D. Wolfe

NOTE: Summary of evidence, if required by the convening or higher authority, will be attached on separate pages.

U. S. GOVERNMENT PRINTING OFFICE: 1956 O— 369979